



The Maryland
Department of Juvenile Justice

Maryland Standards for Juvenile Detention Facilities

Part III

Every child will become a self-sufficient productive adult.

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Part III:
Standards for Juvenile Detention Facilities

Chapter 1.0 Organization

1.1 Statewide department

The Department of Juvenile Justice shall have responsibility for the administration of juvenile detention in the State of Maryland. In these standards the Department of Juvenile Justice is referred to as "the Department."

1.2 Separate administration of juvenile and adult detention

The Department shall be operationally autonomous from the agency that administers adult detention. The Department shall have responsibility only for persons within the jurisdiction of the juvenile court, and those youth who have been ordered by the criminal court pursuant to Article 27, § 594A, to be detained in a juvenile facility pending a transfer determination.

1.3 The Department and the private sector

1.3.1 Alternative means of program provision

The Department may provide directly or may purchase from the private sector programs required to carry out the directives of the court or the juvenile intake worker.

1.3.2 Quality control for public and private programs

Standards developed by the Department for programs it administers shall apply to programs purchased from the private sector. The Department's monitoring activities as well as those of the Independent Monitors shall apply to both public and private programs. Standards for private residential programs must conform to COMAR 01.04.04.

1.4 Table of organization

Each detention facility shall have a written document that describes the facility's organization that includes an organizational chart grouping similar functions, services, and activities into administrative subunits. This document shall be reviewed annually and updated as needed.

1.5 Role of outside agencies

The role and functions of employees of public or private agencies providing services to the detention facility shall be covered by written policy and procedure that specifies their relation to the facility's Program Manager. These policies and procedures shall be reviewed annually and updated as needed.

1.6 Policy and procedure manuals

Policies and procedures for operating and maintaining each detention facility shall be specified in a manual that is accessible to all employees. All employees shall be trained and shall be familiar with all policies that affect their work. This manual shall be reviewed annually and updated as needed.

Chapter 2.0 Administration/Support Services

2.1 Personnel administration and policies

2.1.1 Recruitment and selection

The Department shall designate certain classes of employees who shall meet the selection criteria delineated by the Maryland Correctional Training Commission (MCTC).

2.1.1.1 Short-term contracts

The Department shall minimize the use of short-term employment contracts.

2.1.1.2 Recruitment of youth supervisors

The term, “Youth Supervisor” refers to personnel who provide care and supervision of youth residing in a state facility or otherwise subject to the supervision of the state. Employees in this class care for and maintain custody of those in state facilities for delinquent youth and/or in community detention programs. The Department and its vendors shall recruit persons who demonstrate the potential for working with detained youth in program settings, and who meet minimum qualifications as set by the Department of Budget and Management and MCTC. This potential can be reflected in academic qualifications, personal experience, or by a combination of both.

2.1.1.3 Recruitment of specialists

The Department shall ensure that the qualifications of specialists recruited to provide specific services in the detention facility shall meet the minimum qualifications as established by the Department of Budget and Management for the specific classification.

2.1.1.4 Equal employment opportunity

The Department and its vendors shall demonstrate a commitment to provide equal employment opportunities. Affirmative action policies shall include but not be limited to:

- .01** a sensitivity to the ethnic and racial groups represented by the youths in the Department’s care with regard to staff appointments and promotions; and
- .02** the appointment, training, and promotion of women and men on an equivalent basis, based on job qualifications and needs.

2.1.1.5 Management-employee relations

Department practices shall conform to the State Personnel and Pensions Article.

2.1.2 Code of conduct

All employees of the Department and its vendors shall adhere to the requirements of State Law as specified in Article 27, § 35C; Article 83C, § 2-118(c)(2); COMAR 16.05.02. A code of conduct for employees shall be a part of the conditions of employment.

2.1.2.1 Departmental employees

Employees of the Department of Juvenile Justice shall adhere to the Department’s Standards of Conduct and Disciplinary Process.

2.1.2.2 Private vendor requirements

Private vendors shall establish standards of conduct and disciplinary processes that comport to sections 1 and 2 of the Department of Juvenile Justice’s Standards of Conduct and Disciplinary Process.

2.1.2.3 Departmental obligation

The Department shall ensure that the Code of Conduct for personnel is acknowledged in writing by all staff working in private agencies from which the Department purchases programs and services. When private agency staff are not able to meet the standards established in the Code, the Department may terminate its contract with the agency, consistent with the requirements and protections of state procurement law.

2.1.3 Employee duties

2.1.3.1 Program manager

Each facility shall have a designated Program Manager, in whose absence an acting Program Manager shall be designated. The Program Manager shall be accountable to the Department for all aspects of the management of the detention facility. In the case of a program purchased from the private sector, accountability to the Department shall be provided for in the contract between the Department and the private agency.

2.1.3.2 Reporting incidents

All Department and vendor staff shall have an obligation to report emergency and critical incidents in accordance with the procedures outlined in Department policy 01.01.23 Emergency and Critical Incident Reporting.

2.2 Training and staff development

2.2.1 Requirements of personnel training

The Department shall ensure that designated classes of departmental and vendor employees are trained according to the standards established by the Maryland Correctional Training Commission (MCTC) as required by Chapter 483 of the Laws of Maryland 2000 (HB1414). MCTC shall: establish content and length of training; promulgate regulations for the certification of employees; establish standard operating procedures for certification; and certify Departmental and vendor employees who meet MCTC certification requirements.

Commentary

A job task analysis shall be performed that will become the basis for developing a training curriculum unique to specific designated Departmental classifications. This job task analysis shall result in selection standards for entry level staff as well as the appropriate number of hours of annual in-service training required. Training for contract vendor employees operating detention facilities for the Department shall meet the same standards as those required for state employees.

2.2.2 Continuing education

In addition to the minimum requirements established by MCTC, the Department's employees may participate in courses of study approved by the Department's Office of Professional Development. Private vendors under contract with the Department shall be encouraged to offer continuing educational opportunities for their employees to enhance their professional development.

2.2.3 Job rotation

The Department and its vendors shall provide opportunities for employees to broaden their

knowledge and skills through a variety of job assignments, job enrichment, and job rotation.

2.3 Fiscal management for State operated facilities

2.3.1 Budget

The Program Manager shall be responsible for the preparation of the facility's operating budget in accordance with State and Departmental policies and practices regarding budget preparation.

2.3.2 Expenditure management

The Program Manager shall be responsible for expenditure management within the approved facility budget allocation.

2.3.3 Reporting

The Program Manager shall prepare budget expenditure management reports as required by the Secretary or designee.

2.4 Juvenile records/confidentiality

The Department shall develop procedures in accordance with Maryland law to ensure the confidentiality of all information pertaining to youth under its supervision.

2.4.1 Individual case records

A facility shall maintain for each youth an individual case record that shall include:

- (1) identifying information about the youth and the youth's parent(s);
- (2) a recent photograph of the youth;
- (3) referral material to include prior placement information;
- (4) the documentation of services provided during the youth's detention;
- (5) all written reports related to the youth;
- (6) evaluations;
- (7) correspondence;
- (8) legal documents;
- (9) health records;
- (10) educational records;
- (11) classification and assessment documents; and
- (11) a discharge plan that specifies the required level of supervision and services.

2.4.2 Confidentiality of youth records

2.4.2.1 Security

All facilities shall conform to Departmental policy for the maintenance and security of individual case records and health records which include:

- .01** the identity of the staff persons responsible for the custody and maintenance of the records;
- .02** a prohibition on the release of records except in accordance with law or contractual obligation; and
- .03** a notice that employees may not disclose or knowingly permit the disclosure of any information concerning a youth or a youth's family to any unauthorized person.

2.4.2.2 Destruction of records

A facility shall destroy records in a manner that will preserve confidentiality and that is consistent with state policy regarding retention and destruction of

records. See Maryland Department of General Services Records Retention and Disposal Schedule No. 1384

2.4.2.3 Facility closure

The Department shall ensure, that if a privately operated facility closes, its individual case records concerning particular youth are returned to the Department, or retained securely until destruction is ordered or required.

2.4.2.4 Computer interfaces

The Department shall ensure that links with computer systems do not infringe on the preservation of confidentiality.

2.4.3 Maintenance of records

2.4.3.1 Register

A facility shall maintain a register of the youth currently at the facility that includes each youth's:

- .01 name;
- .02 sex;
- .03 date of birth;
- .04 court status;
- .05 county of residence; and
- .06 dates of admission and, if known, anticipated discharge.

2.4.3.2 Time requirements

The Department shall retain individual case records for 6 years after discharge of a youth or 3 years after the youth reaches age 21, whichever is later.

2.4.4 Access to records

The youth's access or his parent or legal guardian's access to a youth's own records shall be governed by Courts & Judicial Proceedings Article, § 3-828(b).

2.5 Information technology

The Department's Information Technology Unit shall ensure the development of an information system designed to serve the Department's data needs for administration, research, and planning.

2.5.1 Access to Departmental database

All state and vendor operated detention facilities shall have access to the Department's ASSIST Information Workflow Support System. This system shall have the capability to access information regarding any youth that is under the Department's jurisdiction.

2.5.2 Responsibilities of IT staff

IT unit staff shall be responsible for the installation and maintenance of computer hardware and software in state operated detention facilities. IT unit staff may assist vendor operated detention facilities in having their Local Area Networks connected to the ASSIST application and may provide training for the entering of data into the system. Additional equipment costs, including providing personal computers that meet the specifications of the Department, may be the responsibility of the vendor.

2.5.3 Responsibilities of facility staff

Detention facility staff shall be responsible for ensuring the timely input of all youth related data from time of admission to discharge. This includes, but is not limited to: educational

progress, treatment notes, medical information, release and/or transfer dates and other pertinent information required by the Department.

Chapter 3.0 Admissions

3.1 Alternatives to detention

3.1.1 Community supervision

The Department shall recommend detention in a secure facility for those youth who present the highest risk to public safety consistent with the application of the Department's detention risk assessment tool. All other youth shall be served in the least restrictive, normative environment, consistent with their individual treatment needs. Such programs may include, but are not limited to: home detention, electronic monitoring, day and evening reporting centers, and other programs of similar intensity.

3.1.2 Residential programs

Any residential program utilized by the Department as a residential alternative to secure detention must be approved for use by the Department, must be licensed, and must conform to all requirements as articulated in COMAR 01.04.04.

3.2 Reception

Prior to a youth being brought to a detention facility, a Department Intake Officer shall complete a risk assessment that results in a score that meets criteria for secure detention. In exceptional cases, a Juvenile Court may order a youth's detention without a risk assessment having been completed. All youth transported to a detention facility remain in the custody of the law enforcement official until custody is accepted by the facility Reception Officer. This designated residential staff person shall verify the court order or signed intake authorization form and verify that the risk assessment instrument has been completed. The facility Reception Officer shall also administer a reception screening protocol to determine if the youth is intoxicated, injured, seriously ill or otherwise incapacitated. No youth shall be admitted to a detention facility who is intoxicated, injured, seriously ill, or appearing to suffer from severe mental or emotional illness. If such conditions are present, they shall be documented by a staff member who has been trained by licensed medical personnel, and the youth shall be returned to the custody of the law enforcement official for transport for medical treatment.

3.3 Admissions

The admissions process in each detention facility shall operate on a 24 hour a day basis. All youth shall be brought to the designated admissions area within each detention facility for processing.

3.3.1 Search

Designated facility staff shall search the youth for weapons or contraband. Searches that involve physical contact shall be performed by a staff person of the same gender as the youth being searched. Money and jewelry shall be confiscated, catalogued, and placed in secure storage. The youth shall receive a receipt for such items. This process shall be governed by Department policy and directives.

3.3.2 Verification of legal status

The facility's designated Admissions Officer shall verify the Court Order or Intake Authorization Form to ensure legal sufficiency.

3.3.3 Interview

The Admissions Officer shall interview the youth to ascertain and/or verify basic identifying information.

3.3.4 Legal history

The Admissions Officer shall perform a search of the ASSIST database to obtain all

previously known information on the youth.

3.3.5 Photography

The youth shall be photographed, and a picture retained in the case record for identification purposes.

3.3.6 Telephone call

The youth shall be allowed to call his parent or guardian.

3.3.7 Classification

The Admissions Officer shall classify the youth for housing by using a risk and needs assessment instrument.

3.3.8 Identification

The youth's identifying information shall be entered as an admission into the facility and he/she shall be issued an identifying bracelet.

3.3.9 Facility information

The youth shall be given a handbook (or translation in his/her own language if the youth does not understand English) on the rules of the facility, which includes the youth grievance procedure.

3.3.10 Clothing requirements

The youth shall be issued facility clothing, and his personal clothing shall be catalogued, packaged and placed in secure storage.

3.3.11 Movement to unit

The youth shall be required to shower, dress and shall be transported or escorted to his/her assigned housing unit.

3.4 Screening and assessments

An initial health screening shall be performed by a health trained staff or qualified health personnel on all youth within one hour of admission into the facility that includes a review of physical health, mental health, and substance abuse needs.

3.4.1 Physical examination

3.4.1.1 Nursing assessment

A full nursing assessment shall be completed within 72 hours of the youth's admission into the facility. The full nursing assessment shall include administering a TB test, by Mantoux method, drawing blood, and collecting a urine specimen to test for sexually transmitted diseases. The TB test shall be read within 72 hours and recorded on the nursing assessment form. Blood specimens shall be picked up by the contracted laboratory on a daily basis, as needed. Results shall be sent to the facility via printer from the laboratory within 24 hours. Urine specimens shall be taken by courier service to the State Laboratory on Tuesdays and Fridays each week. Test results shall be sent to the facility by the State Laboratory via facsimile within five days. Confidential HIV testing is voluntary. Blood or OraSure specimens shall only be obtained following HIV/AIDS education and pre-test counseling.

3.4.1.2 History and physical

A full history and physical examination shall be conducted on each youth by a qualified licensed physician or nurse practitioner within seven days of admission.

3.4.2 Mental health

3.4.2.1 Screening

Each youth shall receive an initial mental health screening. The youth shall be seen by a qualified mental health professional who shall conduct an interview, administer tests as appropriate, and review any prior records associated with the youth, including psychosocial, clinical, and other relevant health care information. If the mental health screen reveals symptoms of mental health issues, recommendations shall be made that may include the need for further services, including the provision for a more in-depth assessment. All screenings shall be conducted within 24 hours of the youth's admission to the facility, and the written results of the screening shall be completed within three working days from the date of the screening.

3.4.2.2 Assessment

When recommended by the mental health professional, an in-depth assessment shall be conducted by a licensed psychologist to determine emotional functioning, adaptive functioning, cognitive functioning (if warranted), risk, and recommendations for treatment, placement, and further assessment as applicable.

3.4.3 Substance abuse

3.4.3.1 Screening

A qualified addictions counselor shall administer a designated substance abuse screening protocol to each youth who has been in residence for at least 24 hours.

3.4.3.2 Assessment

Those youth classified by the screening instrument as having some level of substance abuse involvement shall be administered an assessment protocol designated by the Department.

3.4.3.3 Timeliness

Both the screening and assessment instruments shall be administered within three working days from the youth's admission.

3.4.3.4 Results and recommendations

The results of the screening and assessment instruments shall be provided to the Community Juvenile Counselor as well as the Institutional Case Manager within five working days from the youth's date of admission, or sooner if required for Court. This information shall include a recommendation for the appropriate level of alcohol and other drug abuse treatment.

3.5 Placement within the institution

3.5.1 Assignment

Each youth shall be assigned to a housing unit within the facility based on a variety of factors including, but not limited to: age, size, offense, and history and demonstration of aggressive behavior. Youth with special needs that have been identified by the Admissions Officer, such as youth who appear suicidal, who have specific medical conditions, or are known sex offenders, shall be housed in accordance with these needs.

3.5.2 Orientation

Each youth shall meet with his assigned Institutional Case Manager, or trained residential unit staff within 24 hours of his arrival on the unit. The ICM or designee shall review the

written orientation materials that were given to the youth at the time of admission, including the Youth Grievance Procedure, and provide a general orientation regarding the schedule and daily activities of the unit. When a literacy problem exists, the ICM or designee shall assist the youth in understanding the material. The ICM or trained residential unit staff shall assist the youth to contact his parent or guardian, if he has been unable to do so during the admissions process.

Chapter 4.0 Restorative Services

4.1 Educational services

The Department shall ensure that educational services provided within the detention facility are consistent with state requirements and that they meet the individual needs of the youth. Educational services shall be provided either on an individual or small group basis. The Department may contract with public or private agencies for its staff requirements or directly employ such personnel. Personnel will be deployed on the basis of identified instructional needs. A comprehensive educational program that addresses individual learning styles and special education needs shall be provided to every resident admitted to detention. The educational program shall approximate the educational services available in the local public school system where the facility is located. The delivery and content of educational services will be multifaceted with a continuous, integrated, multi-disciplinary process for educating all students that reflects diversity and commonality. The educational program shall adhere to all applicable educational regulations as established by the Maryland State Department of Education and the Code of Maryland Regulations (COMAR Title 13A).

4.1.1 Accreditation

All education programs shall be accredited by the Maryland State Department of Education and may also be accredited by a recognized national or regional accrediting body.

4.1.2 Educational screening/assessment

The timely compilation of a complete educational history shall be accomplished as soon as possible. In addition to obtaining information to provide for the educational needs of the resident while in detention, a comprehensive information and records gathering process can significantly aid in decisions about disposition and treatment.

4.1.2.1 Interview

Upon admission, youth detained under a continued detention order shall be interviewed by program staff to obtain educational information. Program staff shall contact the resident's parents/guardians or Community Juvenile Counselor to verify the information obtained through the interview. This information shall be used by the educational staff in developing and implementing the student's educational program. The information shall include, but not be limited to, the following:

- .01** the most recent educational placement including the type of placement, (i.e. special education and related services), local school system if applicable, building and grade;
- .02** any exceptionality;
- .03** any disability not covered under the special education law, but that may impact learning (e.g., Sec. 504 of the Rehabilitation Act of 1973), as appropriate;
- .04** current levels of performance, including strengths and weaknesses, attendance record and identified discipline problems; and
- .05** academic interests and vocational goals.

4.1.2.2 Screening instrument

Within 24 hours of admission or the next scheduled school day, an educational screening instrument shall be administered to the resident by designated educational staff to determine general academic functioning and to assist in placement decisions.

Students with disabilities shall be identified according to procedures established in regulations.

4.1.2.3 Request for records

Within 24 hours following the issuance of a continued detention court order, a request for educational records from the home school district and/or prior residential placement shall be made by education staff. This request shall include, but need not be limited to, the following:

- .01 educational history, including most recent educational placement;
- .02 any disability identified in the Individuals with Disabilities Education Act (IDEA) or exceptionality not covered under IDEA, i.e. section 504;
- .03 immunization records;
- .04 progress, attendance and behavior reports;
- .05 Individual Educational Plans (IEPs);
- .06 Multi-Disciplinary Evaluations (MDEs); and
- .07 psychological and other evaluations.

4.1.2.4. Assessment for disability

Students shall be assessed in all areas related to a suspected disability, as appropriate and as specified in regulation, with parental permission.

4.1.2.5. Documentation

Assessment reports shall document that an IEP team considered all assessment requirements/eligibility factors, including a description of the student's performance in the area of suspected disability, relevant information, and instructional implications for participation in the general curriculum.

4.1.2.6. IEP team

The Department shall implement procedures ensuring that the IEP team meets to review the results of assessment procedures completed for each student as part of evaluation or reevaluation within the proper time lines. This includes ensuring that written reports of all areas assessed are available at the meeting in which the student's education needs are being determined.

4.1.2.7 Records

All information records and data maintained in the resident's educational record at the facility shall accurately and completely document the performance and achievement of each student as well as correspondence related to same, and ensure students' rights to privacy and confidentiality in accordance with state and federal law.

4.1.3 Educational plan

An educational plan that meets the individual needs of the resident that is measurable shall be developed. Timely reviews shall be provided in accordance with COMAR 13A to ensure accountability on the part of the educational program as well as the resident.

4.1.3.1 Timeliness

The development of a written educational plan shall occur within 24 hours or the next scheduled school day upon the completion of the educational screening. The educational plan shall include, but need not be limited to, the following:

- .01 specific, measurable goals that are related to the resident's needs as indicated by his/her educational records and assessment process;
- .02 identification of the instructional methods and materials by which these goals will be achieved;
- .03 description of instructional activities to reflect short (1 to 10 days), moderate (10 to 30 days) and long-term (30 or more days) periods of detention;
- .04 on-going review of the goals as educational needs emerge or additional information is received;
- .05 continuous feedback (weekly at a minimum) to the resident regarding his/her educational progress; and
- .06 bi-weekly feedback to the resident's parents/guardians regarding the resident's educational progress.

4.1.3.2 Applicability of special education law

If a resident has an identified disability, all state and federal laws pertaining to special education shall be followed. (i.e., Education Article, Title 8 and COMAR Title 13A).

4.1.4 Program structure

The provision of educational experiences for the resident shall be initiated upon admission to the facility. The educational program shall model the educational services that would be available through the local public school system where the facility is located and provide for the identified special needs of the resident.

4.1.4.1 Participation

Within 24 hours of admission or the next scheduled school day, each resident shall begin participation in the educational program. Students shall not be allowed or required to perform work activities unrelated to their educational plan during school hours.

4.1.4.2 Coordination with home school

Whenever educationally indicated, educational staff shall coordinate arrangements through the resident's school counselor to obtain assignments from the resident's home school district. Progress reports shall be provided to the home school district prior to release to ensure a smooth transition and that the resident receives credit for the work completed while in detention.

4.1.4.3 Curriculum

The content and curriculum design shall address the residents' educational needs including strengths, weaknesses, and interests as identified in the educational plan. It shall include, but need not be limited to, the following:

- .01 core subject areas (e.g., mathematics and reading);
- .02 student learning outcomes as established by the Maryland Department of Education;
- .03 activities designed to maximize the individual learning styles and abilities of the resident;
- .04 individual and small group learning activities;
- .05 the use of multi-media educational materials;

- .06 activities designed to promote cultural awareness and understanding;
- .07 life, socialization, employability, and functional skills; and
- .08 remedial reading and speech programs.

4.1.4.4 Documentation of progress

There shall be an ongoing system for monitoring/documenting student progress, the attainment of grades, credits, competencies, certificates, and/or diplomas and any identified needs/requests for re-evaluation.

4.1.4.5 Continuing education

For residents who have earned their General Education Diploma (GED), there shall be provided a continuing education program that shall include, but need not be limited to, the following:

- .01 academic mentoring of other residents;
- .02 work and career education/exploration, community service/job placements;
- .03 life skills; and
- .04 college level educational videos or other such programs.

4.1.4.6 Instructional time

The school day shall consist of a minimum of 5 hours of instructional time.

4.1.4.7 Instructional materials

Appropriate print and non-print instructional materials, media, and library services shall be available for use by residents.

4.1.4.8 Computer technology

Computer based instruction shall be provided.

- .01 personal computers for instructional purposes shall be provided in each detention facility;
- .02 instruction shall be provided which corresponds to Maryland's core Learning Goals and Maryland's Learning Outcomes; and
- .03 youth shall be instructed on the basics of computers (i.e., terminology, the operation and function of computers, mouse, keyboard, etc.) to promote computer literacy.

4.1.4.9 Homework

Educational staff and program staff shall work collaboratively to provide homework programs of structured study hours and out-of-class assignments for evenings, weekends and classroom absences (e.g. illness, official court business). Program staff and volunteers shall supervise and assist residents during these periods.

4.1.4.10 Year round basis

The educational program shall be in operation on a year round basis. A minimum of 220 days of educational programming shall be provided each year.

4.1.4.11 Integration into facility's programming

The educational program shall be integrated into the facility's behavior management and security systems. Educational staff shall participate in resident staffings and evaluations.

4.1.4.12 Consultation

Educational staff shall be included in general staff meetings of the facility and consulted on administrative decisions that may affect educational programming for residents.

4.1.4.13 In-service training

Educational staff shall participate in regular meetings and in-service training activities similar to those provided to local school system staff as well as statewide and national trainings.

4.1.5 Educational summary

The documentation of the identified educational needs and progress of a resident while in detention shall be in a format that is easily transferable. The educational summary should provide important information to aid decisions regarding disposition, treatment and transition.

4.1.5.1 Requirements

An educational summary shall be prepared and submitted to the Court, the resident's current legal representative, and the Community Juvenile Counselor prior to disposition. This summary shall include:

- .01** information obtained from the resident's educational records and assessment process;
- .02** educational progress while in detention;
- .03** behavioral observations in the classroom;
- .04** a recommendation for an appropriate transition plan; and
- .05** a copy of the student's Individualized Educational Plan (IEP), if any.

4.1.6 Transfer of educational records

4.1.6.1 Written agreements

The facility's Program Manager and the Educational Director shall be responsible for establishing written agreements to coordinate the exchange of educational information and records between the facility and local school districts ensuring confidentiality protections as required by state and federal law.

4.1.6.2 Forwarding of records

The educational record of the resident shall be forwarded to the school district or educational program of the residential placement when the resident is released. This process shall occur within five (5) business days of the resident's discharge from detention.

4.1.6.3 Summary report

If a youth is released from detention prior to disposition, a modified educational summary shall be prepared and forwarded to the youth's home school district within two school days.

4.2 Vocational services

No long term vocational programs shall be provided in a secure detention facility.

4.3 Health care services

4.3.1 Somatic health services

Delivery of health care services shall be in accordance with established Departmental policy and procedures.

4.3.1.1 Sick call

Each youth shall have unimpeded access to sick call services on a regularly scheduled basis.

4.3.1.2 Referral to community resources

Health care services that cannot be performed on site such as orthopedic care, optometry services, or referral to other specialists, shall be available to all youth.

4.3.1.3 Treatment

Youth who have acute and chronic conditions shall receive appropriate medical treatment.

4.3.1.4 Medication administration and management of pharmaceuticals

.01 Pharmaceutical management shall be by a pharmacy licensed in the State and meeting all required federal and state laws and regulations for procurement, dispensation, administration, and accounting of pharmaceutical products.

.02 The facility shall administer medication to youth when such has been prescribed by a licensed physician.

4.3.1.5 Dental services

Youth shall have access to required dental services.

4.3.1.6 OB/GYN services

Females in detention facilities shall have access to OB/GYN services , as necessary and appropriate.

4.3.2 Mental health services

4.3.2.1 Delivery of services

The Department shall be responsible for acquiring, either directly or by agreement or contract with a public or private mental health agency, necessary mental health care and services for youth within facilities operated by the Department and its vendors. All mental health services shall be provided in accordance with guidance from the Department of Health and Mental Hygiene.

.01 The mental health professional at each facility shall provide short term, focused psychotherapeutic services for those individuals who have been identified as needing such services. As appropriate, family involvement with such services shall be highly encouraged.

.02 Crisis intervention services shall be provided to any youth who shows signs of acute behavioral and emotional distress as identified by facility staff.

.03 Mental health professionals shall provide consultation services to other facility health care professionals and facility staff as required, including consultation and involvement in physical restraint and de-escalation procedures.

4.3.2.2 Transfers to mental health agencies

When a youth demonstrates behavior that is indicative of severe emotional disturbance that indicates a need for more intensive services than can be provided on site, the youth shall be seen by the designated facility health professional. If the health professional determines that a youth's behavior is a risk to himself or others, the health professional shall authorize the youth to be transferred to an area hospital for evaluation.

4.3.2.3 Notification of transfer of youth to mental health agencies

Upon transfer of a youth to a mental health agency, the parent or guardian of the youth shall be immediately notified by facility staff. The Community Juvenile Counselor assigned to the youth or his supervisor shall be notified of the youth's transfer by the next working day. It shall be the responsibility of the assigned Community Juvenile Counselor to notify the Juvenile Court, if the youth's admission to a mental health facility is for longer than 24 hours.

4.3.3 Substance abuse services

4.3.3.1 Education

The addictions counselors at each detention facility shall be responsible for providing an alcohol and other drug abuse prevention/education curriculum to all admitted youth. The curriculum shall include facts about illegal drugs and alcohol, the diseases of alcoholism and drug abuse addiction, somatic health issues related to substance abuse, (i.e. sexually transmitted diseases, HIV/AIDS, hepatitis), the addicted family, resistance strategies, and resources for treatment.

4.3.3.2 Counseling

The addictions counselors at each detention facility shall provide short term individual counseling, not less than once per week, and group counseling not less than once per week. These services shall be provided to all youth identified through the screening and assessment protocol as having a substance abuse problem. The focus of this counseling shall be to familiarize youth with what a counseling session is like and to provide them with a safe environment where they can begin to explore their problems with alcohol and other drugs.

4.3.3.3 Referral

The addictions counselors at each detention facility shall coordinate with the youth's Community Juvenile Counselor and local substance abuse authority to enroll the youth in the appropriate level of treatment services. This will include arranging to have the youth assessed by the local substance abuse authority to determine whether or not the youth meets the criteria for residential drug treatment.

4.4 Institutional case management

The facility's Institutional Case Manager shall be responsible for ensuring the youth is oriented to the facility, has completed all assessments (including physical, mental health, substance abuse and educational) according to the required time lines, monitors the youth's adaptation and progress in the facility, coordinates discharge plans with the youth's Community Juvenile Counselor and ensures that the youth's parent or guardian is kept informed of his status and needs while in the facility.

4.5 Recreational activities

A well defined and structured recreation program shall be provided for each resident. The recreation program shall provide a variety of activities that promote physical and mental health and are appropriate to the ages and interests of the residents admitted to detention. Youth shall have access to either individual or group recreational activities for a minimum of two hours each day. Such activities shall provide opportunities for strenuous physical exercise.

4.5.1. Program structure

A well developed and articulated recreational program whose purpose is understood by the program staff and residents shall be established.

4.5.1.1 Coordinator

A specific staff person shall be designated as recreation coordinator and be responsible to design, organize and direct the recreation program. He/she shall have education, training or experience in the development and implementation of recreational activities for youths.

4.5.1.2 Activities

The recreational program shall provide a variety of planned, structured large muscle and leisure activities. These activities shall include, but need not be limited to, the following:

- .01** organized sports and games that require large muscle activity and permit equal opportunity for participation (e.g., aerobics, volleyball and soccer);
- .02** supervised small group leisure activities (e.g., card and board games);
- .03** creative activities (e.g., arts and crafts);
- .04** quiet individual leisure activities (e.g., reading and letter writing); and
- .05** activities adapted for physically and developmentally challenged residents.

4.5.1.3 Requirements

A minimum of one (1) hour of large muscle activity and one (1) hour of leisure time activity shall be provided daily.

- .01** The large muscle activity shall be conducted outdoors unless weather or other conditions indicate otherwise.
- .02** Extended periods of large muscle activity shall be provided on weekends and holidays.

4.5.1.4 Description

A description of the activities that the facility offers shall be maintained. This description shall be available to all program staff responsible for the supervision of activities. The description shall include, but need not be limited to, the following information:

- .01** a summary of the activity and explanation of the rules;
- .02** staff, space and equipment requirements;
- .03** objectives of the activity (e.g., development of gross motor or fine motor skills, sportsmanship or relaxation); and
- .04** alternative activities for residents who may be unable to participate in

certain activities due to physical or developmental disabilities.

4.5.1.5 Schedule

A weekly schedule of recreational activities shall be posted in living areas of the residents.

4.5.2. Resident participation

Participation of residents in healthy developmental activities provided through the recreational program shall be encouraged.

4.5.2.1 Access

All residents shall have access to recreational opportunities unless documented medical, behavioral or security issues prohibit their participation in specific activities.

4.5.2.2 Participation

Program staff shall encourage all residents to participate in recreational activities.

.01 Incentives shall be provided for youths who participate in recreational activities and exhibit cooperative behavior and good sportsmanship.

.02 Recreational activities shall not be withheld as a means of group punishment.

4.5.2.3 Staffing

Adequate staff shall be provided to ensure proper supervision of recreational activities. Volunteers shall be encouraged to participate in recreational activities with residents under the supervision of program staff.

4.5.2.4 Interests of youth

Each resident shall have the opportunity to express his/her interests and preferences of recreational activities and appropriate residents' interests and preferences shall be incorporated into the recreational activities.

4.6 Religious programs

Space and time shall be provided that may be used for religious purposes. Youth desiring to participate in such services may do so on a voluntary basis or may be taken to places of worship in the community, if doing so presents no risk to security.

4.7 Community outreach

4.7.1 Interns and volunteers

The Department shall actively involve volunteers in facility programs, not to replace regular staff, but to enrich and supplement on-going programs. The Department's volunteer program shall be governed by written policy and procedure.

4.7.1.1 Selection and recruitment of volunteers

The Department shall recruit volunteers whose interests and capabilities are related to the identified needs of the youth.

.01. The Department's Statewide Volunteer Coordinator, in cooperation with the facility's Volunteer Liaison and the facility's Program Manager, shall ensure a screening process for volunteers that is consistent with security concerns for each facility.

.02 All volunteers shall be screened consistent with the Department's requirement for criminal background checks.

.03 The screening and selection of volunteers shall allow for recruitment from all cultural and socioeconomic groups in the community.

4.7.1.2 Training and supervision of volunteers

Volunteers shall be provided with orientation training and shall be supervised by an experienced employee of the Department or the private agency with which the Department has contracted.

.01 Volunteers will agree in writing to abide by Department and facility policies, particularly those relating to the security and confidentiality of information.

.02 The Department shall establish policy and procedures regarding evaluation and termination of volunteers.

4.7.2 Facility tours

With the exception of monitoring visits as articulated in section 7.3 of these standards, requests to tour Department or vendor operated detention facilities shall be approved and coordinated by the Department's Public Information Officer. Such requests shall be documented on a Site Visit Request Form that shall include the requestor's signature acknowledging the need to insure the confidentiality of residents in the facility.

4.7.3 Community advisory councils

With the consent of the State Advisory Board, the Department may establish an Advisory Council for each facility consisting of five to seven community members residing in the jurisdiction in which the facility is located. This Council shall advise the facility's Program Manager on aspects of program management and facilitate the development of links with the community. See Article 83-C § 2-119.

Commentary

In order to ensure that there is a relationship between the facility and the community where it is located, there shall be a group of citizens, with a demonstrated interest in and knowledge of the problems of youth, who are appointed by the Secretary of the Department to advise the facility's administration on matters relating to the mutual concerns and interests of the community and the facility.

4.8 Release

4.8.1 Procedures

Procedures for the release of youth shall include, but are not limited to, the following:

- (1) verification of identity;
- (2) verification of release papers;
- (3) completion of release arrangements including the person or agency to whom the youth is to be released;
- (4) return of personal effects;
- (5) medical screening and arrangements for community follow-up when needed;
- (6) up to 30 days of prescribed medication, when necessary and if advance arrangements have been made;

- (7) transportation arrangements; and
- (8) instructions on forwarding mail.

4.8.2 Plan

The Institutional Case Manager, in coordination with the Community Juvenile Counselor and parents or guardians, shall develop a written plan that describes the supervision requirements, treatment needs, and services to be provided to the youth upon release. This plan shall consider all evaluations completed on the youth while detained, such as psychological, psychiatric, educational, or substance abuse reports. The youth's living arrangements, school requirements, participation in treatment services, and level of intensity of supervision shall be clearly articulated.

Chapter 5 Residential Operations

5.1 Security and control

5.1.1 Supportive security

Security in a detention facility shall recognize and balance the legitimate need for security and safety felt by staff and society with the residents' need for a setting that provides them with safety and a reasonable quality of life.

5.1.2 Secure settings

5.1.2.1 Living arrangements

With consideration given to management concerns and the goal of normalization, the living arrangements shall conform as nearly as possible to those provided for non-secure facilities.

5.1.2.2 Security

Security refers to the provision of staff and resident safety and to the prevention of escape from the facility. Security shall also include measures to prevent persons from entering the facility or grounds illegally. Means to ensure security shall consist of physical features of the building and grounds, policy and procedures, and staffing arrangements.

.01 The facility shall maintain a daily report on youth population movement. The daily report shall indicate the number of youth in the facility and their names, identifying numbers and housing assignments. Official daily movement sheets shall detail the number and types of admissions and releases each day and the count at the close of the day.

.02 Direct care staff shall maintain a permanent log and prepare shift reports that record routine information, emergency situations, and unusual incidents.

.03 Supervisory staff shall conduct and document on a daily basis, including holidays and weekends, that they have inspected all areas occupied by youth. If faulty, unsafe, or unsanitary conditions are discovered, a written report shall be forwarded to the facility's Program Manager.

.04 Direct care staff shall regulate all youth movement from one location to another, including individual and group movement to and from all activities and programs.

.05 Guidelines for transporting youth shall emphasize security and safety and shall be made available to all personnel involved in transporting youth.

5.1.3 Staffing

Staffing arrangements shall aim to provide a safe, humane, and caring environment.

Youth to staff ratios developed by the Department shall ensure adequate supervision of youth. The allocation, deployment and assignment of resources/personnel to each facility shall be based on: 1. the budgeted population operating capacity; 2. the level of risk and needs of the population; 3. facility programs and services; and 4. physical plant architecture. Staff to youth ratios shall not be generalized, but rather based on facility design and age, activity and program level and other related factors.

5.1.3.1 Staffing plan

Each facility shall develop a staffing plan which shall be reviewed and reassessed annually consistent with changes in population, facilities, activities and services.

5.1.4 Control center

A control center that provides for 24-hour monitoring and coordination of the facility's security, safety, communications, and mechanical and electrical systems shall be designated in each facility. Monitoring by closed circuit television shall be limited to common areas, such as, but not limited to: holding rooms, quiet rooms, and group activity areas such as gymnasiums or multi-purpose rooms. Closed circuit television and/or listening systems are warranted in sleeping and medical areas when a youth has a documented medical condition that requires constant monitoring.

5.1.5 Crowding

The population of each juvenile detention facility shall generally be limited to the budgeted operating capacity. However, the facility shall not be considered crowded as long as the Department can safely and humanely maintain critical aspects of the facility to include the following:

5.1.5.1 The condition of the physical plant

The provision of lighting, heat, plumbing, ventilation, living space, noise levels and recreational space shall be sufficient to adequately meet the needs of the detained youth.

5.1.5.2 Sanitation

Proper sanitation within the facility shall be maintained to include the control of vermin and insects, clean food preparation areas, medical facilities, lavatories, showers, and places to eat, sleep, and work.

5.1.5.3 Safety

Youth shall be protected from violent, emotionally disturbed, contagious or ill youth. Provisions shall also be made for fire and/or other emergency evacuations.

5.1.5.4 Youth needs and treatment services

Clothing, proper nutrition, bedding, medical, dental, and mental health care, visitation time, exercise and recreation, and educational and programming services shall be maintained at a sufficient level to accommodate the number of youth in the facility.

5.1.5.5 Staffing

Staffing levels shall ensure the proper supervision and safety of the residents.

5.1.6 Notification of the Secretary

When conditions in a detention facility may compromise the health or safety of the detained youth or the provision of required services, the facility's Program Manager shall immediately notify the Secretary.

5.2 Safety and emergency procedures

5.2.1 Conformity with codes

All detention facilities shall conform to state fire safety requirements. The State Fire Marshall is responsible for inspecting state institutions and insuring appropriate safety procedures. Article 38A, § 8(d) & (n).

5.2.2 Safety inspections

Privately operated secure detention facilities shall be inspected annually in order to ensure conformity to all public safety codes. Unannounced inspections shall be made to ascertain quality of maintenance.

5.3 Rules and discipline

5.3.1 Objectives

- (1) Those charged with the custody and control of youth shall reasonably regulate the behavior of those in their charge and impose disciplinary measures congruent with the willful violation of applicable law and policy.
- (2) Fairness and regularity in the disciplinary system will be established.
- (3) Major infractions shall be differentiated from minor infractions and the inappropriate imposition of disciplinary measures shall be prohibited.
- (4) Written policy shall be used to ensure that the youth know as precisely as possible what conduct is expected and what sanctions may be imposed.
- (5) Procedures shall be established for the imposition of disciplinary measures.
- (6) Cruel and unusual punishment is prohibited.
- (7) Hearings, review and appeals of disciplinary action and grievances shall occur at the most immediate and expedient levels.

5.3.2 Major infractions

5.3.2.1 Definition

An offense which would be a felony if committed by an adult or alleges violation of Article 27, § 36B (misdemeanor handgun), or that is of such a nature as to seriously threaten the security of the facility or its operations shall be considered a major infraction.

5.3.2.2 Charging a youth with a delinquent or criminal offense

When a youth in a detention facility is believed to have committed an offense that is a felony under the law of the jurisdiction, local law enforcement shall be notified to determine if criminal charges will be filed. Such an offense shall be processed in the same manner as an offense charged against a youth who is not in a detention facility. If the appropriate authority elects to prosecute or refer the matter to juvenile court, some change may be required in the status of the accused youth within the facility for his or her own protection, for the protection of other residents, or for purposes of institutional integrity. The Program Manager shall determine after the filing of a charge whether restrictive measures are necessary for the protection of the youth, the protection of other residents, or for purposes of institutional integrity. If it is determined that restrictive measures are required, the least restrictive measures shall always be used.

5.3.2.3 Not charging a youth with a delinquent or criminal offense

If the charge is not pursued, the matter may be treated within the detention facility as a major infraction. Youth who commit major infractions shall receive disciplinary action and appropriate sanctions. Discipline shall be invoked on the basis of a written report submitted by residential staff to the Unit Manager. The youth shall be informed of the infraction.

5.3.3 Minor infractions

5.3.3.1 Definition

A minor infraction is generally an offense that is a misdemeanor under the law of the jurisdiction, or is of such a nature as to disturb the orderly functioning of the facility. Examples of offenses that may be considered as minor infractions are: assault with no serious bodily injury, threatening the physical safety of others, theft or destruction of property valued at under \$300, creating a disturbance, lying to a person in authority, disobedience of valid orders, reporting a false alarm, being under the influence of alcohol or marijuana, unauthorized use of property belonging to another, refusal to attend school or class, refusal to perform work assignments and violation of any valid rules of the facility.

5.3.3.2 Charging a youth with a delinquent offense

When a youth in a detention facility is believed to have committed an offense that is a misdemeanor under the law of the jurisdiction, local law enforcement may be notified to determine if delinquent charges will be filed. A residential staff member may also file a complaint with a DJJ Intake Officer regarding an alleged offense. The offense shall be processed in the same manner as an offense charged against a youth who is not in a detention facility.

5.3.3.3 Not charging a youth with a delinquent offense

If the charge is not pursued, the matter shall be treated within the detention facility as a minor infraction. Youth who commit minor infractions shall be subject to discipline by residential staff. Discipline shall be invoked on the basis of a written report submitted by residential staff to the Unit Manager. The youth shall be informed of the infraction.

5.3.4 Conduct that may not be subject to sanction

5.3.4.1 Sexual behavior

A youth shall not incur penalty for any sexual behavior that is not forbidden by statute or reasonable facility rules.

5.3.4.2 Religious choice

Refusal to attend religious services shall not subject youth to sanctions.

5.3.4.3 Participation

A youth shall not be disciplined for refusing to actively participate in any counseling, treatment, rehabilitation, or training program.

5.3.4.4 Attitude

A youth shall not be sanctioned for displaying what is viewed as an undesirable attitude.

5.3.4.5 Printed material

A youth shall not be sanctioned for possession of any printed or otherwise recorded material unless such possession is specifically forbidden by Department policy or facility rules.

5.3.4.6 Food

A youth who refuses to eat a particular type of food shall not be sanctioned.

5.3.4.7 Religious beliefs

A youth who refuses to act in violation of his religious beliefs shall not be sanctioned.

5.3.4.8 Research

A youth who refuses to participate in any study, research, or experiment shall not be sanctioned.

5.3.4.9 Medical intervention

A youth who refuses to take drugs designed to modify behavior or to submit to non-emergency, surgical interventions without consent shall not be sanctioned.

5.3.5 Sanctions

5.3.5.1 Availability

The sanctions available for less serious infractions may also be used for more serious infractions.

5.3.5.2 Major infractions

Sanctions for major infractions include, but are not limited to, the following: seclusion, the loss of, or prohibition from, accrual of any or all level system points, loss of level, a suspension of the privilege of earning level system points, and/or the suspension of designated privileges for a period of time.

5.3.5.3 Minor infractions

Sanctions for minor infractions include, but are not limited to, the following: seclusion, in-room social separation, the loss of or prohibition from accrual of level system points, loss of level, and/or the suspension of designated privileges for a period of time.

5.3.5.4 Loss of privileges

The type of privileges subject to suspension shall include access to movies, radio, television and the like; participation in recreational or athletic activities; and participation in outside activities.

5.3.5.5 Restriction of sanctions

No corporal punishment shall be inflicted, nor shall a youth be required to eat a restricted diet, alter the regular sleeping pattern, engage in arduous physical labor, or any other punishment designed to cause contempt, ridicule, or physical pain.

5.3.6 Seclusion

Seclusion shall be used only in circumstances when it is absolutely necessary and specific procedures shall be observed to ensure the resident's safety whenever seclusion is required. This standard shall conform to Article 83C, §2 -118(c); COMAR 16.05.02 and 01.04.04 21E and Department policy 03.14.04 Limits on Use of Restraints and Seclusion.

5.3.7 In-room social separation

In-room social separation is differentiated from seclusion as it shall only be used as a disciplinary measure or as an opportunity for "time out" for a youth. The door of the room shall remain unlocked. The use of in-room social separation shall be governed by Department policy and directives.

5.3.7.1 Time period

The use of in-room social separation shall be for the shortest period of time necessary to hold the youth accountable for the behavior(s).

5.3.7.2 Visitation

The following procedures and conditions shall be observed whenever a resident is placed in in-room social separation:

.01 A staff member shall maintain regular observation of the youth. A youth shall be visited at least every two hours by a designated and trained staff person not involved in the incident that led to the in-room social separation. Such visits shall determine the appropriateness of continued in-room social separation. A visit means actual entry into the room with the youth or removal of the youth from the room for the purpose of discussion or counseling.

.02 Space, hygiene and personal items shall be provided as specified in this document.

5.3.8 Disciplinary reports

5.3.8.1 Responsibility of staff

Employees shall prepare a disciplinary report when they have a reasonable belief that a youth has committed a major violation of facility rules or a reportable minor violation.

Commentary:

In general, employees shall be encouraged to resolve incidents involving minor infractions of facility rules on an informal basis. However, where informal resolution appears unwarranted, the staff member shall prepare a report to be forwarded to the designated supervisor.

5.3.8.2 Opportunity to provide statement

A youth accused of a major infraction of facility rules that results in a loss of privileges shall be informed of the infraction(s) as soon as possible, once safety and order in the facility or unit is ensured, but always within 24 hours of the infraction(s). Staff responsible for reporting the incident shall complete a written report by the end of the shift during which the incident occurred, and the youth shall be given the opportunity to write his statement of the infraction or if unable to write it, dictate his statement to a staff member or Child Advocate, who will write verbatim and have the youth sign the document when completed. Copies of the report and the youth's signed statement of alleged major rule infractions shall be included in the youth's case record.

5.4 Use of Force

5.4.1 Corporal punishment

5.4.1.1 Prohibition on all forms of corporal punishment

No corporal punishment of any detained youth shall be permitted. This prohibition allows no exceptions and applies equally to public and private facilities.

5.4.1.2 Protection from child abuse

Youth shall be protected from acts of child abuse while in detention and incidents

of suspected child abuse shall be reported by staff. The Department and its vendors shall comply with Article 83C § 2-118(c); Article 27, § 35C; Family Law Article §5-701, et seq; COMAR 16.05.02; COMAR 01.04.04.20, 21 & 26. See also Education Article § 7-306(a) and Department policy 01.01.13 Reporting and Investigating Child Abuse and Neglect.

5.4.1.3 Responsibility of Program Manager

The Program Manager of the facility shall inform all staff in writing of their responsibilities relating to the Child Protective Services Law. These responsibilities include the following:

- .01 designating staff who are considered care givers;
- .02 mandated reporting requirements;
- .03 reporting procedures for the facility;
- .04 immunity from criminal and civil liabilities when making a report of suspected child abuse in good faith; and
- .05 criminal penalties for failure to report suspected child abuse.

5.4.1.4 Prohibition of sexual activities with detainees

Employees of state and vendor operated detention facilities shall be subject to Article 27, § 464G which prohibits an employee from engaging in a sexual act with an individual confined in a juvenile facility. All Program Managers of both state and vendor operated facilities shall ensure that all employees receive written notification of this prohibition.

5.4.2 Prohibition of youth's use of force

Personnel shall be prohibited from the direct or tacit approval of a youth's use of physical force against other youth, or of the approval of a youth to exercise authority/control over another youth.

5.4.3 Mandatory reporting of physical force

Any personnel using physical force against any youth shall immediately file a written report with the facility's Program Manager setting forth the circumstances of the act, the degree of force used, and the reasons for the use of force.

5.4.4 Absolute necessity required

Physical force may only be used in circumstances in which it is absolutely necessary. Specific methods and techniques of physical intervention, which are recognized to minimize risk of injury to residents and staff, shall be used to physically control a resident. Staff shall use physical force only as authorized by Department policy 02.09.13 Use of Force.

5.5 Food service

5.5.1 Food service management

5.5.1.1 Manager

A full time staff member experienced in food service management shall supervise the food service operation within a detention facility.

5.5.1.2 Dietitian

A registered dietitian shall approve menus annually.

5.5.1.3 Staffing

The facility shall employ sufficient number of food service personnel and schedule their working hours to meet the dietary needs of the youth in the facility.

5.5.1.4 Posting of schedules

Work assignments and dietary schedules shall be written and conspicuously posted.

5.5.2 Budgeting and purchasing

5.5.2.1 Records

Accurate records shall be maintained for all meals served.

5.5.2.2 Adequacy of supply

A one week supply of non-perishable food shall be maintained in stock at all times.

5.5.3 Dietary allowances

The facility's system of dietary allowances shall be reviewed at least annually by a registered dietitian licensed by the State to ensure compliance with nationally recommended food allowances.

5.5.4 Menu planning

5.5.4.1 Development

Food service staff shall develop advanced, planned menus and substantially follow the schedule. The food flavor, texture, temperature, appearance, and palatability shall be taken into consideration when planning and preparing all meals.

5.5.4.2 Single menu

The food service plan shall provide for a single menu for staff and youth.

5.5.4.3 Specificity

The menus shall specify the actual foods served at meals and between meal snacks.

5.5.4.4 Time requirements

Menus shall be kept on file for three (3) years.

5.5.5 Special dietary needs

5.5.5.1 Prescribed

Special diets shall be provided as prescribed by appropriate medical and dental personnel.

5.5.5.2 Religious reasons

To the extent possible, special diets shall be provided for youth whose religious beliefs require the adherence to religious dietary laws.

5.5.5.3 Sanctions

The withholding of food or drinking water or deviations/substitutions from scheduled menus shall never be used as a disciplinary measure.

5.5.6 Health and safety regulations

5.5.6.1 Compliance with codes

Food Service shall comply with applicable sanitation codes as promulgated by the federal, state and local authorities, including but not limited to COMAR 10.15.03.

5.5.6.2 Sanitation measures

Measures shall be take for the control of vermin and pests.

5.5.6.3 Staff requirements

All food service personnel shall be in good health and free from communicable diseases and open infected wounds. All food service personnel shall wash their hands before handling food to ensure clean hands and fingernails, wear hairnets or caps, wear clean washable garments, and employ hygienic food handling techniques.

5.5.7 Inspections

5.5.7.1 Schedules

The standard criteria for inspections shall be in accordance with COMAR 10.15.03. Weekly inspections of all food storage areas, including dining and food preparation areas and equipment shall be made. Daily checks of refrigerators and water temperatures shall be made by administrative health personnel and/or dietary personnel.

5.5.7.2 Temperatures

Shelf goods shall be maintained at 45 degrees to 80 degrees F.; refrigerated foods at 35 degrees to 40 degrees F.; and frozen foods shall be maintained at 0 degrees F. or below.

5.5.8 Meal service

5.5.8.1 Supervision

Staff members shall supervise youth during meals.

5.5.8.2 Time requirements

At least three meals, two of which are hot meals, shall be provided at regular meal times during each 24 hour period, with no more than 14 hours between the evening meal and breakfast. Provided basic nutritional goals are met, variations may be allowed based on weekend and holiday food service demands.

5.5.8.3 Local requirements

When required by law and/or regulation applicable to food service employees in the community where the facility is located, all personnel involved in the preparation of food shall receive a pre-assignment medical examination. All examinations shall be conducted in accordance with local requirements.

5.5.8.4 Compliance by vendor

When a facility's food services are provided by an outside agency or individual, the facility shall have written verification that the outside provider complies with the state and local regulations regarding food service.

5.5.8.5 Monitoring

Youth and other persons working in food service shall be monitored each day for health and cleanliness by the Director of Food Services or designee in accordance with COMAR 10.15.03.

5.6 Sanitation and hygiene

5.6.1 Sanitation and inspections

Weekly sanitation inspections shall be made of all facility areas. A designated staff member shall submit a written sanitation report to the facility's Program Manager on a weekly basis. The facility shall comply with applicable federal, state, and local sanitation and health codes.

5.6.2 Water supply

The facility's potable water source and supply shall be approved by an independent, outside source to be in compliance with jurisdictional laws and regulations. The standard shall be in compliance with the Federal Safe Drinking Water Act regulations.

5.6.3 Waste disposal

The facility shall provide a waste disposal system in accordance with an approved plan by the appropriate regulatory agency. Liquid and solid wastes shall be collected, stored, and disposed of in a manner that will avoid hazards and protect the health and safety of youth and staff.

5.6.4 Housekeeping

5.6.4.1 Pest control

The facility shall provide for the control of vermin and pests. Licensed pest control professionals shall be used on a regular basis.

5.6.4.2 Schedule

There shall be a written housekeeping plan for the facility's physical plant. This shall include a cleaning schedule with personnel assigned specific duties.

5.6.5 Clothing and bedding

5.6.5.1 Sufficient inventory

The stored inventory of clothing, bedding, and linens shall exceed that required for the facility's maximum youth population. An inventory system shall be maintained to ensure the consistent availability of clothing, bedding, and linens to replace items that are lost, destroyed, or worn out.

5.6.5.2 Clothing

Youth shall be provided the opportunity to have three complete sets of clean clothing per week.

5.6.5.3 Work clothing

Protective clothing and equipment shall be issued to youth assigned to food service, hospital, garage, facility physical plant, maintenance shops, and other special work.

5.6.5.4 Cleaning of clothes

The facility shall provide for the thorough cleaning and, when necessary, disinfecting of youth's personal clothing.

5.6.5.5 Clean bedding

The facility shall issue clean bedding and linen, including two sheets, a pillow and pillow case, a mattress, and sufficient blankets to provide comfort under existing temperature controls. Linen shall be exchanged at least weekly, and towels exchanged three times per week.

5.6.6 Bathing and personal hygiene

5.6.6.1 Schedule

An approved shower schedule shall allow for daily showers and showers after strenuous exercise.

5.6.6.2 Items provided

Articles necessary for maintaining personal hygiene shall be provided to all youth. At the time of admission, each youth shall be given soap, a toothbrush, toothpaste and a comb. Shaving equipment shall be made available on request and the special hygiene needs of females shall be met.

Chapter 6.0 Architectural Design

6.1 Normalization of the environment

Facilities for the detention of youth shall be designed with the goal of creating environments that will encourage normalization. Objectives include:

- (1) prohibition on stigmatizing of youth;
- (2) promotion of self-respect;
- (3) promotion of the use of community-based services and resources in detention facilities; and
- (4) allowing youths to express cultural identity, practice religious beliefs, and enjoy privacy.

6.2 Facility design

6.2.1 Facility program

A facility program shall be developed for each newly constructed detention facility. The program shall be a written document containing the following information:

- (1) a statement of general goals and purposes of the facility;
- (2) a description of the Department, including its statutory authority, operating procedures, services provided, and administrative structure;
- (3) a description of the management model which is used as the basis of current and future operations;
- (4) an impact statement that: analyzes past and current workload and budget; projects future workload, staffing, programs, and operating and capital budgets; and assesses the impact of the proposed project on the overall operation of the Department;
- (5) a justification of the project and its operating costs, exploring alternative management models and their impact on staffing, budget, and space requirements;
- (6) a quantitative and qualitative description of space requirements for the proposed facility, including outdoor spaces, and other descriptive factors;
- (7) an outline of budget and time restrictions; and
- (8) studies of alternative strategies to satisfy space requirements including leasing, renovation, and new construction.

6.2.2 Appearance

The exterior appearance of a secure facility, to the extent possible consistent with internal security, shall fit architecturally with the surrounding community.

6.2.3 Internal design and appearance

The internal design and appearance of a secure detention facility shall, to the extent possible, in considering the security needs of the program, provide a safe, humane, caring environment.

6.2.4 Building expectations

Building design shall not present an expectation of abusive behavior and vandalism and invite challenge by residents, nor shall it be assumed that every youth behaves in a violent and destructive manner. Security and safety of residents dictate construction materials designed to prevent injury or suicidal conduct.

6.2.5 Small community-based facilities

To the extent possible, new facilities for the detention of youth shall be community based.

6.3 Location

6.3.1 Community notification

The Department shall implement both the spirit and the letter of the community notification requirements of State Government Article §8-306.

6.3.2 Factors to be considered

To the extent possible, secure detention facilities shall be located to facilitate the use of community based services and continued contact between youth and family.

Location of secure detention facilities shall take the following factors into account:

- (1) facilitation of the maintenance of ties between residents and their community and family;
- (2) accessibility to mass transit and highways to facilitate visits by family;
- (3) accessibility to courts to avoid excessive waiting time spent in transit to and from court; and
- (4) proximity to law offices to facilitate attorney-client meetings.

Commentary

The involvement of leading citizens shall be enlisted; they shall be informed individually of the purpose of detention facilities and services, the nature of the building and the program, and the extent of supervision and control. Once their support has been gained, they can then help interpret the project for their neighbors. Publicity regarding the building site shall stress the positive aspect of detention facilities, including the importance of youth being close to their families and being able to interact in their communities.

6.4 Size

Capacity of a secure detention facility shall be limited to 24 residents within a single housing pod, with the exception of existing facilities and any facility under construction, including the Baltimore City Juvenile Justice Center. No new facility shall be built to house more than 24 residents within a housing pod; however, the facility's design may allow architectural connections to other pods or spaces. Such facilities shall incorporate flexible architectural and operating design in order to accommodate a decreased need for detention.

Commentary

The ACA, Standard for Juvenile Detention Facilities (1991) Part Two, Section A, limits capacity of a secure detention facility to 25 residents per unit and total capacity of 150.

6.5 Juvenile housing

6.5.1 Personal space

With the exception of existing facilities and facilities currently under construction, single bedrooms shall be at least 80 square feet and multiple occupancy bedrooms shall contain at least 60 square feet per youth.

6.5.2 Resident rooms

Each resident shall be afforded:

- (1) a clean, dry room of moderate temperature, equipped with light sufficient for reading during regular waking hours; and
- (2) access to adequate toilet and bathing facilities.

6.5.3 Fixtures

6.5.3.1 Doors

Exit doors to the facility shall be of metal, with metal frames, of the heavy duty security type. Doors to toilets shall be of standard metal construction. Bedroom doors and doors to other rooms to which youth have access shall be provided with viewing panels.

6.5.3.2 Locks

Consistent with the security needs of the facility, locks should be master-keyed so that it is not necessary for staff in the facility to be in obvious possession of a large number of keys. At a minimum, locks should be provided in the following places:

- .01 rooms with lockers for the deposit of personal effects;
- .02 storage for knives and cutlery;
- .03 storage for records and other confidential material;
- .04 medication and medical equipment lockers;
- .05 evidence locker;
- .06 outside doors and gates; and
- .07 staff lockers and law enforcement weapons lockers.

6.6 Environmental conditions

With consideration given to management concerns and the goal of normalization, the living arrangements shall conform as nearly as possible to those provided for non-secure facilities. Items such as heating, ventilation, lighting and plumbing shall be provided consistent with the security needs of the facility and shall conform to uniform building codes and state and local applicable codes for plumbing, mechanical and electrical systems.

6.7 Program and service areas

6.7.1 Entrance spaces and waiting rooms

Entrance spaces and waiting rooms in a secure detention facility shall reflect a concern for normalization.

6.7.2 Interview rooms

Detention facilities shall have interview rooms for residents to meet privately with attorneys, case workers, and juvenile counselors.

6.7.3 Visitation rooms

6.7.3.1 Necessity

Space shall be provided for a visiting room or area for contact visiting. There shall be adequately designed space to permit screening and searching or both of youth and visitors. Space shall be provided for the proper storage of visitors' coats, handbags, and other personal items not allowed in the visiting area.

6.7.3.2 Conditions

Visitation shall be directly supervised by staff, and to the extent possible, visitation shall occur in an area of the facility in which the atmosphere is relaxed, some degree of privacy is provided, and appropriate physical contact is permitted.

6.7.4 Seclusion rooms

6.7.4.1 Location

A seclusion room, if required, shall not be planned and located in the living area, but rather in a location conducive to effective staff monitoring and/or in proximity to staff offices. This is necessary to:

- .01** mitigate against the deleterious effects resulting from having peers see other residents in these circumstances;
- .02** preclude the use of this room on a regular basis which would otherwise work against program goals;
- .03** encourage the staff to provide closer supervision of, and contact with, the youth in the seclusion room; and
- .04** prevent youth held in the seclusion room from disrupting the daily routine of the program.

6.7.4.2 Environment

The room itself can be viewed as a minimum environment with a place to sit and with access to toilet facilities. Seclusion shall be used only as a last resort. Staff may have the option of confining residents to their own bedrooms and, if necessary, removing extraneous furniture.

6.7.4.3 Statutory requirements

Standards must conform to Maryland's statutory and regulatory provisions concerning seclusion. See Article 83C, §2-118(c); COMAR 16.05.02; COMAR 01.04.04.21E and Department policy 03.14.04 Limits on Use of Restraints and Seclusion.

6.7.5 Day rooms

Day rooms with space for a variety of youth activities shall be situated immediately adjacent to youth sleeping areas but shall be separated from them by a floor-to-ceiling wall. With the exception of existing facilities, and those currently under construction, day rooms shall provide a minimum of 35 square feet of space per youth for the maximum number expected to use the day room at one time. Seating for every youth using the day room at one time shall be provided. Sufficient surfaces shall be provided for youth who wish to engage in table-top activities. Furnishings shall be consistent with the security needs of the assigned youth.

6.8 Administrative and staff areas

6.8.1 No permanent staff living quarters

Secure facilities that house youth shall not be the sole residence of staff.

6.8.2 Staff offices

Space shall be provided for administrative, security, professional, and clerical staff. This may include space for conference rooms, the secure storage of records, a public lobby and toilet facilities.

6.9 Design security

The facility shall be controlled by appropriate means to ensure that youth remain within the perimeter and to prevent access by the general public without proper authorization. Perimeter surveillance can be maintained through mechanical surveillance devices (e.g., electronic, pressure, or sound detection systems), mobile patrols, or a combination of these systems.

Chapter 7.0 Program Responsibility And Accountability

7.1 Child abuse and neglect reporting

See Article 27, § 35C, § 2-118; Family Law Article, § 5-701, et seq.; COMAR 07.02.07; COMAR 16.05.02.02 and Department Policy 01.01.13 Reporting and Investigating Child Abuse and Neglect.

7.2 Juvenile rights

7.2.1 Privileges

7.2.1.1 Letters

Youth shall be permitted to send sealed letters to a specified group of persons and organizations including but not limited to: courts, counsel, officials of the confining authority, and administrators of grievance systems. Minimum writing materials, including pencil, paper and envelopes shall be made available to youth.

7.2.1.2 Inspection

Youth mail, both incoming and outgoing, shall be opened and inspected for contraband. Mail may be read, censored, or rejected when based on legitimate facility interest of order and security. The youth shall be notified when incoming or outgoing letters are withheld in part or in full.

7.2.1.3 Telephone use

Youth shall have reasonable access to a telephone to make and receive calls to parents or guardians, juvenile counselors, and counsel.

7.2.1.4 Visitation

Youth shall have the right to receive visits from parents or guardians, juvenile counselors, counsel, and others as approved by the Program Manager or designee.

7.2.1.5 Access to printed or electronic materials

Reasonable restrictions may be imposed on the type, amount, frequency, and time of day for access to radio, television, computers, or any other electronic device. Youth shall have access to books, periodicals and other reading materials. There generally shall be no censorship of reading materials; however, reasonable restrictions may be placed on access to certain materials for legitimate security reasons. Restrictions may be placed on access to materials which are obscene, contrary to a youth's therapeutic best interest, or which promote or encourage violence, escape, criminal activity, gang affiliation, substance abuse, or other illegal or dangerous activity.

7.2.2 Limitations on use of mechanical and chemical restraints

Mechanical restraints may not be used as punishment. Mechanical restraints may be used only if necessary for:

- (1) the protection of youth or others;
- (2) prevention of escape; or
- (3) secure transportation.

The decision to use mechanical restraints within a facility shall be made on an individualized basis. See COMAR 16.05.02.04; COMAR 01.04.04.26C. The use of chemical restraints, including pepper spray and mace, is prohibited. Under no circumstances shall personnel take any weapons into the facility.

7.2.3 Work performed by detained youths

7.2.3.1 Participation

Youth in detention facilities shall have a right not to participate in work assignments unless the work is reasonably related to the youth's housekeeping, personal or hygienic needs, or therapeutic program. Youth shall not be solely responsible for maintenance of the facility and work assignments shall not conflict with the provision of educational, mental health, or substance abuse services.

7.2.3.2 Compensation

When youth in detention facilities work as part of a program, and to the extent that such work benefits the facility or program, the youth shall be compensated for such work. Such compensation shall be guided by the appropriate minimum wage statutes with consideration given to the age and capability of the youth.

Youth who volunteer for work assignments not connected with personal housekeeping, hygienic needs, or a therapeutic program shall also be fairly compensated for such work and not be subject to set-off claims against such compensation, except for child support payments and restitution.

7.2.3.3 Youth's access to earnings

A special account shall be established for the youth's earnings and reasonable rules established for periodic withdrawal, expenditure, and release of the entire fund when detention supervision is terminated.

7.2.4 Grievance procedure

The grievance procedure outlined in this section shall conform to COMAR 16.05.01 and Department policy 01.13.04 Child Advocacy Grievance Procedure.

7.2.4.1 Role of facility staff

.01 Every employee at a facility shall have the responsibility to assist any youth who expresses a desire to initiate a grievance.

.02 An employee shall not retaliate against a youth who has filed a grievance.

7.2.4.2 Role of the Child Advocate

.01 The Child Advocate shall be pro-active in visiting institutions to solicit from youth any concerns regarding their care and treatment and to assist any youth who expresses a desire to initiate a grievance.

.02 Once a Child Advocate has been contacted concerning a grievance, the Child Advocate shall assist the youth until the problem has been resolved, even if the youth has been transferred or released.

.03 The Secretary shall appoint a substitute Child Advocate when a grievance is filed against the Child Advocate.

.04 Child Advocates shall be assigned to all detention facilities on a rotating basis. This includes both state and vendor operated facilities.

7.2.4.3 Grievance process

.01 A youth may initiate a grievance by contacting the Child Advocate, or requesting that a staff member contact the Child Advocate.

.02 The youth shall initiate the grievance procedure within 5 working days

of the action or incident, unless the youth can satisfactorily demonstrate to the Child Advocate that a time extension is necessary.

.03 The Child Advocate shall respond to the grievance by meeting with the youth as soon as possible to obtain the facts and attempt a prompt solution.

.04 If the youth's grievance is against the facility's Program Manager, the Secretary or designee, after having been notified by the Child Advocate, shall contact the parties involved in the grievance as soon as possible and attempt to resolve the grievance.

.05 The Child Advocate shall contact all parties involved in the grievance as soon as possible and attempt to resolve the grievance.

.06 If the grievance is not resolved, the Secretary or the facility's Program Manager shall confer with all parties involved and, after hearing all parties, the Secretary or the facility's Program Manager shall issue a written decision.

7.2.4.4 Appeal to the Secretary.

.01 If the youth is not satisfied with the decision of the facility's Program Manager, an appeal may be filed with the Child Advocate.

.02 After receiving an appeal from the youth, the Child Advocate shall submit the case, in writing, to the Secretary or designee.

.03 The appeal shall consist of a review of all documents submitted. The Secretary or designee may request additional information from anyone involved in the grievance.

7.2.4.5 Regulation limitations

.01 The grievance procedures may not:

- (a) offer an administrative hearing;
- (b) be governed by the contested case provisions of State Government Article, Annotated Code of Maryland; or
- (c) include decisions made through the Department of Juvenile Justice Disciplinary Appeals Process.

.02 The Secretary or designee shall file a written decision on the appeal which shall be final and binding on all parties to the grievance.

7.3 Monitoring

The Department shall ensure program quality through internal and independent monitoring of all detention facilities. Monitoring shall include the compilation of basic data on all detention programs and regular visits to programs by designated monitoring staff and independent monitors approved by the Secretary. Monitoring shall be designed to ensure compliance with the law, regulation and the Department's standards and policies related to the operation of detention facilities.

7.3.1 Goals

- (1) to ensure that all youth's substantive and procedural rights are protected and that all pertinent laws, administrative rules and regulations, and executive or judicial policies pertaining to youth are continuously applied within any State or vendor operated facility;

- (2) to gather and evaluate information that provides the basis for remedies for illegal, unsound, unfair, or inhumane policies and practices;
- (3) to evaluate the adequacy and effectiveness of existing law, regulation and policy that apply to decisions made in State or vendor operated detention facilities;
- (4) to identify and evaluate the need for additional law, regulation and policy and to ensure the uniform application of law, regulation, and policy;
- (5) to inspect and review the condition of the physical plant;
- (6) to prevent discrimination on the basis of race, sex, age, marital status, religion, sexual orientation, national origin, language, family background or disability; and
- (7) to insure sound fiscal management.

7.3.2. Access to information

The Department shall ensure that internal and independent monitors are afforded the broadest possible access, relevant to their particular function and consistent with notions of privacy, to all appropriate information, records, data, and to staff and youth of the facility that is being monitored.

7.3.3 Methods

Methods of information gathering and documentation shall include but not be limited to:

- (1) the collection of all pertinent reports, data, records and the like;
- (2) site visits, inspections, and observations, including the use of film, videotape or audio recording devices to record and document conditions and activities, within the limitations of laws and regulations safeguarding the privacy and confidentiality of youth; and
- (3) interviews of facility program staff and youth subject to their jurisdiction and authority.

7.3.4 Confidentiality

When monitoring activities involve the use of youth records that include information that identifies the youth, monitors shall maintain client confidentiality and are subject to all laws, regulation, and policies pertaining to such.

7.3.5 Reports, recommendations and findings

Both internal and external monitors shall regularly and periodically prepare reports of activities, findings, and recommendations for the Secretary. Monitors shall propose reforms and improvements based on information gathered pursuant to monitoring activities. When monitors determine that the facility being monitored is not in compliance with existing laws, rules, regulations and policy, the monitors shall notify the Secretary.

7.3.6 Internal monitoring

Internal monitoring of detention facilities shall be the responsibility of the Department's Office of Professional Responsibility and Accountability (OPRA) in accordance with the applicable provisions of law, regulations and policy. This office shall report directly to the Secretary of the Department. OPRA shall establish monitoring procedures that include the collection of program data, measures of program compliance and fiscal management, and insure compliance with life-safety standards. Data collected shall

include but not be limited to:

- (1) standardized information on youth in the program;
- (2) details concerning personnel and volunteers;
- (3) line item accounts of the program's allocation of funds and expenditures;
- (4) description of the links between the program and the community within which it is located;
- (5) number and types of disciplinary actions;
- (6) description and data on the provision of life and safety issues;
- (7) description and data on services provided; and
- (8) details concerning the relationship between the program and other public and private agencies.

7.3.6.1 Data collection

All data collected will be used to measure compliance with established standards, and to assess whether a safe, humane, caring environment is being provided.

7.3.6.2 Monitoring visits

The Department shall send monitors to visit each program on a regular schedule. When appropriate, additional unannounced visits shall be made. At a minimum the monitoring staff shall:

- .01 interview youth and staff involved in the program;
- .02 observe every aspect of the program;
- .03 review the program's procedures for recording information; and
- .04 review records.

7.3.7 Independent monitoring by private entities

The Department may provide for the independent monitoring of juvenile detention facilities by appropriate private entities. A private entity is defined as an agency or organization independent from the Department. These entities may have access to all programs and appropriate information and data.

7.3.7.1 Requests to monitor

Requests by private entities to engage in monitoring activities shall be made in writing to the Secretary. The number of individuals who make up the monitoring team shall be of a manageable number and must be approved by the Secretary prior to access to the facility.

7.3.7.2 Access to facilities

Access to a facility by a private entity for the purposes of monitoring activities may be scheduled and approved by the Secretary.

7.3.7.3 Reporting of findings

A report shall be prepared regarding the findings of the monitoring team and forwarded to the Secretary within 30 days of the monitoring visit.

7.3.7.4 Department's response

The Department and its vendors shall be allowed 30 days to respond and take corrective action regarding the findings of the Independent Monitors before any monitoring report is released to the public.

7.3.8 Independent monitoring by a public agency

Independent Monitors shall be appointed on a permanent basis by agencies of the Subcabinet in accordance with the state budget. Independent Monitors shall have the authority to monitor all juvenile detention facilities in the State of Maryland operated by the Department or its vendors. Independent Monitors shall function with all of the rights, authority, safeguards, and responsibilities delineated in section 7.3 of this document. Independent Monitors shall submit periodic reports of monitoring activities, findings and recommendations to the Secretary of the Department and to Subcabinet agencies as appropriate.

7.4 Reporting

7.4.1 Program manager quarterly report

Each Program Manager shall submit a written quarterly report to the Assistant Secretary for Residential Services that shall include, but not be limited to, the following:

- (1) total number of youth served;
- (2) the average daily population;
- (3) the number of emergency and critical incidents;
- (4) the number of staff, staff vacancies and its impact on service delivery;
- (5) an expenditure management report; and
- (6) a narrative that discusses any issues of concern and makes recommendations for improved operations.

7.4.2 Review of quarterly reports

The Assistant Secretary shall review the Program Manager's reports and forward copies of the individual reports with recommendations for corrective actions and/or improvements or enhancements to existing services to the Deputy Secretary for Restorative Services for consideration.

7.5 Evaluation

7.5.1 Department's activities

The Department shall gather data, review literature and reports, including the results of monitoring activities by Departmental staff and Independent Monitors, for the purposes of evaluating efficiencies, adequacy and quality of service, and to explore the feasibility of alternative methods of service delivery in detention facilities.

7.5.2 Cooperation with independent researchers

The Department shall cooperate with independent, impartial research and evaluation activities conducted by federal contract research centers, private foundations, university-based research centers, academics working as individuals, and private corporations engaged in juvenile justice research. All primary research data shall be made available to bona fide researchers, subject to Article 83C §2-115 and provisions for the protection of the rights of privacy of individuals.

Chapter 8.0 Glossary of Terms

8.1 Admissions Officer

Designated residential staff member whose responsibility is to insure that a youth is properly admitted to the facility.

8.2 Community

A limited territorial setting incorporating a network of relationships, and usually a cultural similarity, that provides most of the goods and services required by persons living within its boundaries.

8.3 Community supervision

Youth live at home pending disposition of a juvenile court case, subject to a series of conditions and limitations, typically including school attendance, significant curfews, leaving home only with a parent or guardian, and frequent contact with a designated probation officer. Community supervision programs may be run directly by a public agency, or by contract with a private community-based agency.

8.4 Day reporting centers

A non-residential alternative to detention at a determined location within the community that provides face-to-face daytime structure and supervision to youth.

8.5 Detention

The temporary care of youth who, pending court disposition, require secure custody for the protection of themselves or the community in physically restricting facilities.

8.6 Electronic monitoring

Electronic transmitting devices worn by youth (generally attached to wrists or ankles) to monitor their presence at a designated location.

8.7 Evening reporting centers

A non-residential alternative to detention that provides face-to-face structure and supervision to youth during the after-school and evening hours typically from 3:00 to 9:00 pm.

8.8 Foster home

The home of one or more persons who, in addition to any children of their own, take in youth to live in the home as temporary family members.

8.9 Grievance mechanism

An administrative procedure through which the complaints of individuals about residential programs or department policies, personnel, conditions, or procedures can be expressed and resolved.

8.10 Home detention

Placement of an alleged delinquent, prior to adjudication or disposition, in the home of a parent, legal guardian, relative, foster home or family shelter care with restricted activity and monitoring by Department staff or agent that may include electronic monitoring when appropriate.

8.11 Independent Monitor

A person or team of persons, autonomous from the Department, who make planned and unannounced visits to a detention facility to review the operation, services provided, treatment of youth and adequacy of the physical plant.

8.12 Institutional case manager

A Juvenile Counselor assigned to a facility who is responsible for ensuring that each detained youth receives all appropriate evaluations ordered and services necessary to meet the youth's

needs while in detention. This staff member is responsible, in coordination with the youth's assigned Community Juvenile Counselor, for developing post detention plans. This staff member shall also maintain contact with the youth's parent or guardian during the period of detention.

8.13 Monitoring

The process of overseeing and examining the operations of the various components of the juvenile justice system.

8.14 Normalization

An attempt to design facilities and provide services to detained youth in a manner that reflects and encourages positive, healthy, productive, adolescent development.

8.15 Orientation

Process whereby a youth is familiarized with the rules, behavior expectations, grievance procedures, and daily activities of a detention facility.

8.16 Program Manager (formerly Superintendent)

Highest ranking managerial staff working in a detention facility who is accountable for all aspects of the management and operation of the facility.

8.17 Regional setting

Locating a juvenile facility to serve a geographical area incorporating two or more counties/communities.

8.18 In-room social separation

Placement of a resident in an unlocked room for disciplinary reasons.

8.19 Seclusion

The placement of a resident in a locked room to control aggressive, disruptive or threatening behavior that is a clear and present danger to the resident, other residents, staff and/or the security of the facility.

8.20 Secretary

In this document "Secretary" refers to the Secretary of the Department of Juvenile Justice.

8.21 Secure detention facility

A facility characterized by physically restrictive construction and procedures that are intended to prevent an alleged delinquent from departing at will.